

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

MD RAMON BADILLO SANTIAGO,

Plaintiff

v.

HON. JOSE A. ANDREU GARCIA,
et al.

Defendants

Civil No. 98-1993(SEC)

JUDGMENT

At a status conference held on September 8, 2004, the Court gave Plaintiff's counsel until September 23, 2004 to file an informative motion regarding Plaintiff's interest in continuing with the case (Docket # 196). Plaintiff has failed to comply with this order. Plaintiff's noncompliance is interpreted as disinterest in continuing to prosecute the instant matter.

Fed. R. Civ. P. 16(f) and Local Rule 16(g) provide for the imposition of any sanctions as are deemed just by the Court, when a party fails to comply with the Court's scheduling orders. Furthermore, as noted by the United States Supreme Court, "[c]ourts are vested with an inherent power to control and manage their own affairs so as to achieve early and expeditious disposition of cases." Link v. Wabash Railroad Co., 370 U.S. 626, 630-31(1962). The First Circuit has noted that "in a period of overloaded dockets, prejudice to the court is inherent in needless delays and postponements." Chuang Invs. v. Eagle Inns, Inc., 81 F.3d 13 (1st Cir. 1996).

Pursuant to the above discussion, and because of Plaintiff's total disregard to this Court's order and apparent disinterest in continuing to litigate this case, the above captioned case will be **DISMISSED WITH PREJUDICE**.

SO ORDERED.

In San Juan, Puerto Rico, this 9th day of May, 2005.

S/ *Salvador E. Casellas*
SALVADOR E. CASELLAS
United States District Judge